

REMARKS:

Applicant thanks the Examining Attorney for the Office Action of March 8, 2005. Applicant makes the above amendments and below remarks in response to the Office Action of March 8, 2005. After entry of this Amendment, claims 1-2, 7, and 10-17 are pending in the instant application. Claims 3-6 and 8-9 have been canceled. Applicant respectfully requests entry of the indicated amendments and the Examiner's consideration of the below remarks.

In the Office Action of March 8, 2005, the Examiner first objected to the drawings under 37 C.F.R. § 1.83(a). The Examiner stated that the drawings must show every feature of the invention specified in the claims. Therefore, the Examiner requested that the protective liner for the floor of the passenger compartment of a motor vehicle (claim 5) must be shown or the feature(s) canceled from the claim(s). The Examiner stated that no new matter should be entered.

In response to this objection, Applicant notes that it has canceled claim 5. Applicant believes that the Examiner's objection is therefore moot. Nevertheless, Applicant has submitted replacement drawing sheets incorporating changes to FIGS. 3A-3C in order to correct and add reference numerals and lead lines to more distinctly point out features disclosed in the original specification.

The Examiner next rejected claims 1-3 and 5 under 35 U.S.C. § 102(b) as being anticipated by Jones, United States Patent Application No. 6,019,244. The Examiner stated that regarding claims 1, 3, and 5, Jones discloses a protective liner that is capable of being used in a storage area, the cargo compartment of a motor vehicle or the passenger compartment of a motor vehicle, comprising a floor (22, FIG. 2 and Col. 4, lines 57-63), walls (16), a sleeve (20), and a resilient frame

(21 and Col. 2, lines 12-15) made from a flexible, substantially impermeable material (Col. 2, lines 2-7). The Examiner further stated that regarding claim 2, the disclosed protective liner has a predetermined shape and size that would be the same as a storage area of similar shape and size.

In response, with respect to claims 3 and 5, Applicant notes that it has canceled these claims, and the Examiner's rejection of them under 35 U.S.C. § 102(b) in light of Jones is moot. With respect to claims 1 and 2, Applicant first notes that it has amended these claims to more clearly note that the protective liner is intended for use in a vehicle storage area. Additionally, Applicant notes that Jones does not disclose a substantially impermeable floor, a substantially impermeable sleeve, or a substantially impermeable wall. Instead, Jones discloses a lining 18 "of foldable, waterproof material sized to conform to the inside dimensions of the bowl." Col. 4, lines 54-56. Since Jones requires a waterproof lining, the floor, walls, and sleeve of Jones are inherently *not* substantially impermeable. Thus, the instant invention, using a substantially impermeable floor, a substantially impermeable sleeve, and a substantially impermeable wall is clearly an improvement over Jones and not anticipated by Jones. Further, Jones does not disclose a protective liner for a vehicle storage area of predetermined shape and size. With respect to claim 2, Jones does not disclose the protective liner having a perimeter shape and size wherein said perimeter's shape and size are substantially the same as said shape and said size of said vehicle storage area. Indeed, Jones does not disclose the use of its invention with the use of a vehicle at all. For these reasons, Applicant respectfully requests that the Examiner withdraw the rejections of claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Jones.

The Examiner next rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Jones in view of Cesare, United States Patent No. 6,105,842. The Examiner stated that Jones discloses the protective liner but does not teach that it is the shape and size of a cargo compartment

of a motor vehicle. The Examiner further noted that Cesare discloses a protective liner in the shape of a pickup truck bed to allow use of the bed for storing possessions (Col. 1, line 66 - Col. 2, line 3). The Examiner further states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the use of a protective liner in the shape of a pickup truck bed as disclosed by Cesare with the protective liner disclosed by Jones to allow use of the pickup truck bed for storing possessions.

In response, Applicant notes that it has canceled claim 4, and the Examiner's rejection is therefore moot.

The Examiner next rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Jones in view of Faber, et al., United States Patent No. 6,254,162. The Examiner stated that Jones discloses the protective liner but does not teach that it is shaped and sized to fit in the passenger compartment of a motor vehicle. The Examiner further stated that Faber, et al. discloses a protective liner for use on the floor of the front passenger region in a vehicle to secure cargo within the interior space of the vehicle (FIG. 1 and Col. 4, lines 16-22 and 28-37). The Examiner further stated that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the use of a protective liner for use on the floor of the front passenger region in a vehicle as disclosed by Faber, et al. with the protective liner disclosed by Jones to allow securing of cargo within the interior space of the vehicle.

In response, Applicant notes that it has canceled claim 6 and the Examiner's rejection is therefore moot.

The Examiner next rejected claims 7-9 under 35 U.S.C. § 103(a) as being unpatentable over Jones in view of Behlman, United States Patent No. 5,215,205. The Examiner stated that Jones discloses the protective liner as discussed previously but does not teach that the liner is removably

secured to the storage area. The Examiner further stated that Behlman discloses a protective liner for use in the cargo area of a vehicle and further discloses that the liner is secured in the cargo area by the use of a hook-and-loop type gripper (43, FIG. 1 and Col. 3, lines 57-64). The Examiner further asserted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the use of a hook-and-loop type gripper as disclosed by Behlman with the protective liner disclosed by Jones to allow securing of the liner in position in the cargo area.

In response, Applicant first notes that it has canceled claims 8 and 9. With respect to claim 7, Applicant has amended the claim to recite “a protective liner for a vehicle storage area of predetermined shape and size.” Jones does not disclose use of a protective liner for a vehicle storage area. Further, neither Jones nor Behlman discloses a substantially impermeable floor, a substantially impermeable sleeve, or a substantially impermeable wall. As noted above, Jones relies on a lining 18 and “a foldable, waterproof material sized to conform to the inside dimensions of the bowl.” (Col. 4, lines 54-56). Since Jones requires a lining to achieve waterproof characteristics, the floor, walls, and sleeve of Jones are inherently *not* substantially impermeable. Further, the instant invention, not requiring such a lining, is a clear improvement over the Jones art and is not anticipated by it. Further, Behlman also fails to disclose the limitations of claim 7 of a substantially impermeable floor, a substantially impermeable sleeve, and a substantially impermeable wall. Thus, the Applicant’s invention is not obvious in light of Jones and Behlman. Applicant respectfully requests that the Examiner therefore withdraw the rejection of claim 7 based upon Jones and Behlman.

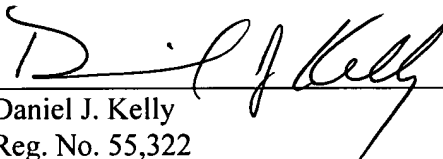
In addition to the amendments to the claims described above, Applicant has added new claims 10-17 and respectfully requests the Examiner’s consideration of those claims. Further, the

Applicant has included several replacement paragraphs to the original specification to correct typographical and other non-substantive errors. No new matter has been added.

Applicant respectfully requests entry of all above amendments and the withdrawal of the rejections as described. Applicant believes that the application is now in condition for immediate allowance and issue. The Examiner is invited to contact Applicant's undersigned Attorney with any questions regarding this paper.

Respectfully submitted,
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Amendments to the Drawings:

Applicant has amended drawing FIGS. 3A-3C and has included two replacement sheets containing these corrected drawing figures. The changes include the addition of and changes to reference numerals and lead lines to correct errors and conform with the specification as originally filed.